



U.S. Department of Justice

United States Attorney
Southern District of New York

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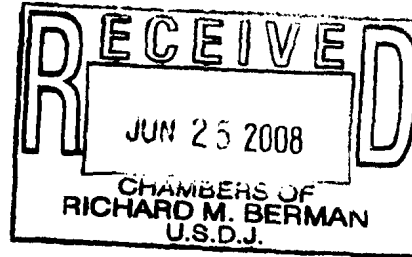
The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 25, 2008

BY FAX

DATE FILED: 6/25/08

Hon. Richard M. Berman
United States District Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007



Re: United States v. Alexander Ortega, 07 Cr. 968 (RMB)

Dear Judge Berman:

The Government respectfully requests that the Court reschedule the next pre-trial conference in the above-captioned case, currently scheduled for June 26, 2008, for July 30, 2008, at 11:00 a.m. The Government also requests that the Court exclude time under the Speedy Trial Act, 18 U.S.C. 3161, et seq., until the July 30, 2008, pre-trial conference, in the interests of justice. The parties have attempted to schedule two pleas before the duty magistrate judge in the last week, and on each occasion the marshal's have been incapable of producing the defendant due to his illness. I have been advised that the defendant has been suffering from flu-like symptoms. I have spoken with the defendant's attorney, Mr. Barry Weinstein, and he has informed me that the defense has no objection to either the rescheduling or the request to exclude time.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

Adjournment granted
to 7-30-08 at 11:00am
on consent. Time is
excluded pursuant to
the Speedy Trial Act for the
reasons set forth in this letter.

By:

Randall W. Jackson
Assistant United States Attorney
(212) 637-1029

Mr. Barry Weinstein

Fax: 718-665-1117

SO ORDERED:

Date: 6-25-08

Richard M. Berman
Richard M. Berman, U.S.D.J.

TOTAL P.02